IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT
THE HON'BLE SRI JUSTICE K.C. BHANU
WRIT PETITION NO : 3407 of 2005

Between:
Navachaitanya M.P.H.W.(F) Training Insitute, R/o.42, Doctors colony, Kurnool, rep.by its Persident B.M.V.S.Rama Raju.

... PETITIONER

AND

1. The Government of Andhra Pradesh, rep.by its Principal Secretary, Social Welfare Department, Secretariat, Hyderabad.
2. The Government of Andhra Pradesh, rep.by its Principal Secretary, Tribal Welfare Department, Secretariat, Hyderabad.
3. The Commissioner of Tribal Welfare, Govt. of A.P., Masab Tank, Hyderabad.
4. The Commissioner of Social Welfare, Govt. of A.P., Masab Tank, Hyderabad.
5. The District Tribal Welfare officer, Kurnool, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not sanctioning the fees i.e., tuition fees under management quota, special fee, uniform allowance and admission fee to the students of the scheduled caste/scheduled Tribe for the year 2003-2004 and 2004-2005 is illegal, arbitrary, contrary to law and in violation of Articles 14, 19 and 21 of the Constitution and consequently direct the respondents to sanction tuition fees under management quota, special fee, uniform allowance, transportation fee and admission fee for the years 2003-2004 and 2004-2005 to the petitioner's as per G.O.Ms. No.4, dated 6-1-2005 and G.O.Ms.No.5 dated 12-1-2005.

Counsel for the Petitioner: MR.VADDIPAMULETY

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following:

ORDER:

This writ petition is filed seeking a direction to the respondents to sanction tuition fees under Management quota, special fee, uniform allowance, transportation fee and admission fee for the years 2003-04 and 2004-05 to the petitioner as per G.O.Ms.No.4, dated 06.01.2005 and G.O.Ms.No.5, dated 12.01.2005.

The petitioner-Institution made a representation to the respondents on 16-01-2005 for grant of tuition fee due under the Management quota. This representation is vague as the names of the students with full particulars and the Courses they are studying and the amounts on which exemption is granted to each student are not mentioned.

Therefore, without going into the merits of the writ petition, I consider it appropriate to dispose of the writ petition directing the petitioner-Institution to file an affidavit before the respondents detailing all the particulars belonging to the Scheduled Castes and Scheduled Tribes studying in the Institution in course wise and year wise. Thereafter, the respondents shall consider the same and pass appropriate orders, particularly, with reference to G.O.Ms.No.4, dated 06.01.2005 and G.O.Ms.No.5, dated 12.01.2005. No costs.

K.C.BHANU, J

Dt.24-02-2005
Note: Issue CC in two days.
Bo
Glv

Copies to:
1. The Principal Secretary, Government of Andhra Pradesh,
   Social Welfare Department, Secretariat, Hyderabad.
2. The Principal Secretary, Government of Andhra Pradesh,
   Tribal Welfare Department, Secretariat, Hyderabad.
3. The Commissioner of Tribal Welfare, Govt. of A.P.,
   Masab Tank, Hyderabad.

4. The Commissioner of Social Welfare, Govt. of A.P.,
   Masab Tank, Hyderabad.
5. The District Tribal Welfare officer, Kurnool, Kurnool District.
6. Two CCs. to the Government Pleader for Social Welfare, High Court
   Buildings, Hyderabad. (OUT)
7. Two C.D.Copies.